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November 17, 2000

By Hand Delivery
Magalie Roman Salas, Secretary
Federal Communications Commission
445 - 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Re: *Ex Parte Presentations*
Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102

Dear Ms. Salas:

This letter serves as notification that on November 16, 2000, Qwest Wireless representatives had two meetings at the Commission regarding the above-captioned proceeding. The first meeting was with Jeff Brueggeman, Luisa L. Lancetti (representing Qwest Wireless), Patrick Forster, Martin Liebman, Wendy Austrie, Jane Phillips and Janet Sievert (of the Wireless Telecommunications Bureau). In addition, Luisa Lancetti and Elridge Stafford had a second meeting with Kris Monteith, Jim Schlichting and Jane Phillips (also of the Wireless Telecommunications Bureau).

The meetings were held to discuss issues concerning the request filed by the King County, Washington E911 Program Office regarding enhanced 911 ("E911") Phase II implementation in the State of Washington. Copies of the presentation material distributed and discussed at the *ex parte* meetings are attached hereto.

Pursuant to Section 1.1206(a), an original and one copy of this letter are being filed with your office. Please associate this letter with the file in the above-captioned proceeding.

Please contact us should you have any questions concerning the foregoing.

Sincerely yours,

WILKINSON BARKER KNAUER, LLP

By: Luisa L. Lancetti

cc: Patrick Forster
Martin Liebman
Wendy Austrie
Jane Phillips
Janet Sievert
Kris Monteith
Jim Schlichting

WIRELESS E911 COST RECOVERY IN KING COUNTY, WASHINGTON

CC Docket No. 94-102

Qwest Wireless, LLC *Ex Parte* Presentation

November 16, 2000

SUMMARY

- The Commission should confirm that the appropriate demarcation point for wireless E911 cost recovery is the Mobile Switching Center (MSC).

- The Commission's rules require PSAPs to recover the costs of "facility and equipment upgrades" needed to receive and utilize wireless E911 data.

- Qwest Wireless has successfully deployed a Non-Call Path Associated Signaling (NCAS) solution for Phase I E911 in a number of states.

- While Qwest Wireless voluntarily offered to cover some of the costs of the NCAS solution in King County as a compromise, King County has taken the position that it will not pay for any facility and equipment upgrades to its existing E911 network.

- Qwest Wireless and King County recently reached an agreement to implement Phase I E911 pending Commission confirmation of the demarcation point.

- PSAPs should purchase facilities and equipment for implementing wireless E911 service to the same extent as they traditionally have purchased them for wireline E911 service.

Qwest Wireless Is Deploying An NCAS Solution for Phase I E911

- Qwest Wireless has contracted with a third-party vendor (SCC) to deploy an NCAS solution for Phase I E911. We have successfully deployed this NCAS solution in Arizona, Colorado and Minnesota.

- Qwest Wireless' NCAS solution works as follows, assuming the PSAP has performed the necessary upgrades to its network:

  1) When a wireless 911 call is placed, the Mobile Directory Number (MDN) and the cell site and sector identification number are routed from the MSC to the vendor's Service Control Point (SCP). The SCP tags the MDN and cell site information with the Emergency Service Routing Digits (ESRD) for the appropriate PSAP and forwards the MDN, the cell-site information and the ESRD to the ALI database.
  2) The SCP also returns the ESRD to the MSC so the 911 call can be routed to the appropriate PSAP. The voice call and the ESRD are transmitted from the MSC to the PSAP's Selective Router (SR) via standard wireline CAMA trunks.
  3) Once the PSAP receives the 911 call, it queries the automatic location information (ALI) database using the ESRD. The ALI database retrieves the ALI record associated with the ESRD and forwards the appropriate ALI record back to the PSAP.
  4) At that point, the PSAP has the MDN and the cell site data for the 911 call.

- The benefit of Qwest Wireless' NCAS solution is that it does not require the PSAP to upgrade its network to accept 20 digits (*i.e.*, the 10-digit MDN and the 10-digit cell site data). Standard wireline CAMA trunks are incapable of handling more than 8 digits.

Consistent With Its Rules and Precedent, The Commission Should Confirm That The Demarcation Point Is At The MSC

- Section 20.18 of the Commission's rules require wireless carriers to provide Phase I E911 "only if the administrator of the designated [PSAP] has requested the services required . . . and is capable of receiving and utilizing the data elements associated with the service."

- In its *Second Memorandum Opinion and Order* in this proceeding, the Commission recognized that Phase I implementation requires PSAPs to make investments in "facility and equipment upgrades." Moreover, the Commission expressly retained the requirement that a PSAP must have a means of recovering the cost of receiving and utilizing wireless E911 data as a precondition to requesting wireless Phase I E911 service.

- King County's position that wireless carriers must bear the cost of all network and database components of Phase I E911 service beyond its "existing E911 system" is clearly at odds with the Commission's order.

- Importantly, requiring a PSAP to cover the cost of its E911 upgrade does not absolve the wireless carrier of significant deployment responsibilities and cost obligations (*e.g.*, switch translations, new facilities, and database and project management services).

- Commission confirmation that the demarcation point is at the MSC avoids the potential for discriminatory treatment of different technologies. The fact that the NCAS solution converts wireless E911 data before it reaches the SR should not result in a different cost recovery outcome than the CAS solution, where the wireless E911 data is converted in the SR.

Notwithstanding The Demarcation Point, Qwest Wireless Voluntarily Offered To Cover Some of King County's E911 Costs

- Cost recovery was not an issue in jurisdictions where Phase I E911 service previously has been implemented because cost recovery was available for both PSAPs and wireless carriers. That is not the case in Washington state.

- Qwest Wireless voluntarily offered to provide King County with all of the SCP functionality (including the conversion) at its own expense as a compromise proposal in order to facilitate the deployment of Phase I E911 service.

- King County responded that it would not pay for the trunking facilities needed to receive E911 data delivered from the Qwest Wireless network, even though King County acknowledges that its existing E911 network is configured to receive only wireline 911 data.

- Qwest Wireless and King County recently reached an agreement to share the costs of deploying Phase I E911 service pending a Commission order confirming the demarcation point for wireless E911 cost recovery.

- Commission confirmation that the demarcation point is at the MSC will not preclude wireless carriers from voluntarily covering some of the PSAP's costs of E911 deployment. Qwest Wireless will continue to be flexible in negotiating Phase I E911 deployment because it believes an NCAS solution may facilitate more efficient use of the wireless network and the transition to Phase II E911 deployment.

The Division Of Costs Between LECs And PSAPs Also Supports A Demarcation Point At The Wireless Switch

- PSAPs traditionally have obtained and paid for CAMA trunks and SCP functionality to implement wireline E911 service. A contrary result for wireless E911 would be discriminatory.

- The trunks between the MSC and the SR are not part of a wireless carrier's network. Indeed, the trunks must be obtained from the ILEC, just as PSAPs obtain trunks from the ILEC for wireline E911 service. In Washington state, the Qwest Corporation wireline tariff *requires* that these trunks be purchased by a PSAP.

- Likewise, the SR itself is not part of the wireless carrier's network. Therefore, the PSAP must be responsible for upgrading the SR (or obtaining comparable functionality from an SCP) so that it is capable of receiving wireless E911 data in 20 digits. In Washington state, a PSAP can order a hybrid box which is capable of processing 20 digits in the SR directly from Qwest Corporation.

- PSAP responsibility for the costs of the E911 network appropriately reflects the PSAPs' need to control the network's design and capacity. In that regard, PSAPs can always choose to upgrade their networks, again at their own expense, by purchasing the necessary facilities and equipment from a regulated ILEC or a third-party provider.

- The Commission should not impose new obligations on LECs, which already have established good working relationships with PSAPs and state and local governments regarding the E911 network.

Non Call Path Associated Signaling